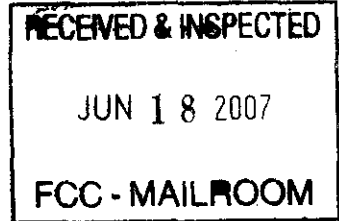


068-CC-0123
the
SCOTT CONNER
Show

Petition for Exemption from Close Captioning: Undue Burden
Submitted on June 12, 2007

The Commission's Secretary
Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th Street, Southwest
Washington, DC 20554



Company Name:

Don't Shoot Productions
3200 Carlisle Boulevard North East
suite 218
Albuquerque, New Mexico 87110

Program Title:

"the SCOTT CONNER Show"

Contact Person

S. Scott Conner M-L.M.T., Executive Producer/Producer/ Talk Show Host
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The Organization:

Don't Shoot Productions is a start up production company that is currently developing/producing a local nighttime talk show entitled "the SCOTT CONNER Show". The production company was established in May of 2007 in Albuquerque, New Mexico. The show is modeled after the average network late-night talk shows, but a focus on New Mexican talent on a professional level, in a talk and variety format.

The Televised Program:

"the SCOTT CONNER Show" is a locally produced show that features primarily local personalities, singers, comedy bits, comedians, and variety acts. This show is currently scheduled to air it's half an hour highlight show on the local CBS station KRQE at 12:35am to 1:05 am, and in the future may air it's entire one hour format with the availability of an extra half an hour at 1:40am to 2:10am, week nights.

Undue Burden of Closed Captioning:

Don't Shoot Productions is a sole proprietorship which has produced a pilot and 10 one hour shows using an all volunteer cast and crew to create "the SCOTT CONNER Show". Which included ALL filming equipment, editing and supplies required to undertake this paramount endeavor. Don't Shoot Productions has raised enough funds, to barely purchase the airtime need to feature this concept to the greater Albuquerque area. This airing, is needed in order to sell ample sponsorship, advertising and product placement to continue the nightly production of "the SCOTT CONNER Show", hence becoming a for-profit venture; able to generate a payroll, necessary to support cast and crew, air and all expenses associated with the production of a high quality nightly program. Thus, at this time the cost of purchasing "closed captioning" is an impossible expense, given that there is ZERO budget, let alone any financials due to the fact that Don't Shoot Productions is an ALL volunteer/ start up enterprise. Granted the above statement of a (current) ZERO budget and no prior financials (do to start up status) it is our former request that "the SCOTT CONNER Show" be grant a waiver of exemption of the close captioning rule under Section 79.1(f).

Additional Exemptions:

It is our understanding that "the SCOTT CONNER Show" also qualifies for exemption to the "close captioning" rule under the following statutes of "self-implementing" exemption(s) under Section 79.1(d):

(5) Programming distributed in the late night hours. Programming that is being distributed to residential households between 2 a.m. and 6 a.m. local time. Video programming distributors providing a channel that consists of a service that is distributed and exhibited for viewing in more than a single time zone shall be exempt from closed captioning that service for any continuous 4 hour time period they may select, commencing not earlier than 12 a.m. local time and ending not later than 7 a.m. local time in any location where that service is intended for viewing.

- "the SCOTT CONNER Show" is intended to be enjoyed and viewed by ALL of KRQE's viewing area including those viewers in the state of Arizona, which falls under Pacific time zone.

(8) Locally produced and distributed non-news programming with no repeat value. Programming that is locally produced by the video programming distributor, has no repeat value, is of local public interest, is not news programming, and for which the "electronic news room" technique of captioning is unavailable.

- "the SCOTT CONNER Show" does have no repeat value seeing that it is intended to be both a time sensitive and nightly broadcast. Additionally, the show's production company does not have "electronic news room" technique of captioning available, as part of the production of the show.

(10) Primarily non-vocal musical programming. Programming that consists primarily of non-vocal music.

- Because of the nature of the show with its musical guest(s), the house band and bumper musical bits; the show on average contains a greater percentage of "musical" content.

(11) Captioning expense in excess of 2% of gross revenues. No video programming provider shall be required to expend any money to caption any video programming if such expenditure would exceed 2% of the gross revenues received from that channel during the previous calendar year.

- "the SCOTT CONNER Show" is a new venture which clearly has no "previous calendar year" financials, which qualifies it for this exemption, as well as, "the SCOTT CONNER Show" being produced on a -0- dollar budget also falls under the "excess of 2% of gross revenues" portion of this exemption.

Negative Effects of Closed Captioning:

It is our desire to make this unique program available and enjoyable to all of our viewing audience, but granted the toil of capturing "the buzz" needed to seduce advertisers and sponsorship dollars needed to produce this program; we can not afford the "UNDUE BURDEN" that it would cost to provide "close captioning". In conclusion, to enforce "close captioning" on "the SCOTT CONNER Show" at this time would keep this show and our efforts from being aired. Hence shutting down our production.

Thank you for your consideration in this matter.

S. Scott Conner M-I, M.T.
Exec. Producer/Talk Show Host
Don't Shoot Productions
scottt@scottconnershow.com



OFFICIAL SEAL
RENEE CISNEROS
NOTARY PUBLIC-STATE OF NEW MEXICO
Renee Cisneros
My Commission Expires: 7-7-2009

*Signed before me this 12th day of June 2007
State of New Mexico
County of Bernalillo*